UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/634,223 | 08/04/2003 | Chris Tengwall | 12838/3 | 6507 |

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|---|---|---|
| 26646 | 7590 | 10/05/2005 |

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| EXAMINER |
|---|
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| ART UNIT | PAPER NUMBER |
|---|---|
| 2131 | |

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/634,223 | TENGWALL ET AL. |
| | Examiner | Art Unit | |
| | Arezoo Sherkat | 2131 | |

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>22 July 2005</u>.

2a)☒ This action is **FINAL.**      2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1-31</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-31</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>04 August 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/6/03, 8/22/05</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## *Response to Amendment*

This office action is responsive to Applicant's amendment received on July 22,

2005. Claims 1, and 10-14 are amended. Claims 16-31 are added.


## *Response to Arguments*

Applicant's arguments, see "Remarks", filed on July 22, 2005, with respect to the

rejection(s) of claim(s) 1-4, 10, and 14-15 under 35 U.S.C. 102(e) and claim(s) 5-9 and

11-13 have been fully considered and are persuasive.  Therefore, the rejection has

been withdrawn.  However, upon further consideration, a new ground(s) of rejection is

made in view of a newly found prior art.


## *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 10-11,14-17, and 19-31 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Omar et al., (U.S. Publication No. 2004/0166834 and Omar

hereinafter), in view of Chen et al., (U.S. Publication No. 2003/0054810 and Chen

hereinafter).

Regarding claims 1, 24, and 26, Omar discloses a system for transmitting data stored in at least one database and processed by a server arrangement to at least one handheld wireless device that receives data from a wireless carrier network including:

a relay arrangement for routing the data for transmission (Page 3, Par. 0033-0034); and

a firewall arrangement that provides security for the data, the server arrangement (Page 3, Par. 0032-0037 and Pages 13-14, Par. 0122).

Omar does not expressly disclose wherein the relay arrangement is arranged behind the firewall arrangement.

However, Chen discloses wherein the relay arrangement is arranged behind the firewall arrangement (Page 9, Par. 0126).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Omar with teachings of Chen because it would allow including an implementation in which the gateway is located on a security perimeter as disclosed by Chen. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Chen to shield the enterprise network/premise 500 from outside attacks aimed at the iMobile HTTP/WAP gateway (Chen, Page 9, Par. 0126).

Regarding claim 10, Omar discloses a method for transmitting data, comprising the steps of:

storing data in a database, retrieving the data from the database via a server

management, processing the data in the server arrangement, sending the data to a

relay arrangement (Page 7, Par. 0070-0072); and

receiving the data at the wireless carrier network, processing the data in the at

least one wireless carrier network, sending the data to at least one handheld wireless

device, and receiving the data at the at least one handheld wireless device, processing

the data in the handheld wireless device (Page 13-14, Par. 0117-0127).

Omar does not expressly disclose wherein the relay arrangement is arranged

behind the firewall arrangement.

However, Chen discloses processing the data in the relay arrangement arranged

behind a firewall arrangement and routing the data from the relay arrangement to the

firewall arrangement to the at least one wireless carrier network, the firewall

arrangement providing security for the data, the server arrangement and the relay

arrangement (Page 9, Par. 0126).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time of applicant's invention to modify teachings of Omar with teachings of Chen

because it would allow including an implementation in which the gateway is located on

a security perimeter and processing the data in the relay arrangement arranged behind

a firewall arrangement and routing the data from the relay arrangement to the firewall

arrangement to the at least one wireless carrier network, the firewall arrangement

providing security for the data, the server arrangement and the relay arrangement as

disclosed by Chen. This modification would have been obvious because one of

ordinary skill in the art would have been motivated by the suggestion of Chen to shield

the enterprise network/premise 500 from outside attacks aimed at the iMobile

HTTP/WAP gateway (Chen, Page 9, Par. 0126).


Regarding claims 2 and 11, Omar discloses wherein the data includes at least

one of email data and PIM data (Pages 14-15, Par. 0128-0129).


Regarding claim 3, Omar discloses wherein the at least one handheld wireless

device receives encryption data wirelessly (Page 15, lines 0133-0138).


Regarding claim 4, Omar discloses wherein the database includes at least one of

an e-mail server and a database server (Pages 14-15, Par. 0128-0133).


Regarding claims 14, 16-17, 23, and 28-29, Omar discloses an apparatus for

transmitting data, comprising:

means for storing data, means for processing the data obtained from the means

for storing data, means for routing the data for transmission over a wireless carrier

network, means for securing the data, the means for processing and the means for

routing, and at least one handheld wireless device that receives data from over the

wireless carrier network (Page 7, Par. 0070-0072 and Page 13-14, Par. 0117-0127)

Omar does not expressly disclose wherein the relay arrangement is arranged

behind the firewall arrangement.

However, Chen discloses wherein the relay arrangement is arranged behind the firewall arrangement (Page 9, Par. 0126).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Omar with teachings of Chen because it would allow including an implementation in which the gateway is located on a security perimeter as disclosed by Chen. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Chen to shield the enterprise network/premise 500 from outside attacks aimed at the iMobile HTTP/WAP gateway (Chen, Page 9, Par. 0126).

Regarding claim 15, Omar discloses a system for transmitting data stored in at least one database and processed by a server arrangement to at least one handheld wireless device that receives data from a wireless carrier network including:

a relay arrangement for routing the data for transmission (Page 3, Par. 0032-0034).

Omar does not expressly disclose wherein the relay arrangement is arranged behind the firewall arrangement.

However, Chen discloses wherein the relay arrangement is arranged behind the firewall arrangement (Page 9, Par. 0126).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Omar with teachings of Chen because it would allow including an implementation in which the gateway is located on a

security perimeter as disclosed by Chen. This modification would have been obvious

because one of ordinary skill in the art would have been motivated by the suggestion of

Chen to shield the enterprise network/premise 500 from outside attacks aimed at the

iMobile HTTP/WAP gateway (Chen, Page 9, Par. 0126).

Regarding claims 19-21, Omar discloses monitoring the relay arrangement

including the routing of the data from the relay arrangement (Pages 2-3, Par. 0029-

0031).

Regarding claims 22 and 30, Omar discloses wherein the relay arrangement

includes at least two parts, at least one of which shares a common hardware platform

with the server arrangement (Page 5, Par. 0048-0058).

Regarding claims 25, 27, and 31, Omar discloses a method wherein the relay

arrangement is configured to transmit the data over the wireless carrier network when

the at least one wireless device is available to receive the data (Page 6, Par. 0064-

0065).

Claims 5-9, 12-13, and 18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Omar et al., (U.S. Publication No. 2004/0166834 and Omar

hereinafter) and Chen et al., (U.S. Publication No. 2003/0054810 and Chen hereinafter),

in view of Elliot et al., (U.S. Publication 2004/0022237 and Elliot hereinafter).

Teachings of Omar and Chen with respect to limitation of claims 1 and 10 have been discussed previously.

Regarding claim 5, Omar or Chen does not expressly disclose a redundant server arrangement for the server arrangement.

However, Elliot discloses a redundant server arrangement for the server arrangement (i.e., Soft Switch sites)(Page 12, Par. 0456-0464).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the combined method of Omar and Chen for remote data access by including a redundant server arrangement for the server arrangement as disclosed by Elliot. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Elliot to provide for high availability and redundancy (Elliot, Page 18, Par. 0565).

Regarding claim 6, Omar or Chen does not expressly disclose a redundant relay arrangement for the relay arrangement.

However, Elliot discloses a redundant relay arrangement for the relay arrangement (i.e., Gateway sites)(Page 12, Par. 0465-0470).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the combined method of Omar and Chen for remote data access by including a redundant relay arrangement for the relay

arrangement as disclosed by Elliot. This modification would have been obvious

because one of ordinary skill in the art would have been motivated by the suggestion of

Elliot to provide for high availability and redundancy (Elliot, Page 18, Par. 0567).

Regarding claim 7, Omar or Chen does not expressly disclose a redundant
server arrangement for the server arrangement.

However, Elliot discloses wherein the redundant server arrangement is located in

at least one of a same geographic location and a different geographic location than the

server arrangement (Page 12, Par. 0456-0464).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time of applicant's invention to modify the combined method of Omar and Chen for

remote data access by including wherein the redundant server arrangement is located

in at least one of a same geographic location and a different geographic location than

the server arrangement as disclosed by Elliot. This modification would have been

obvious because one of ordinary skill in the art would have been motivated by the

suggestion of Elliot to provide for high availability and redundancy (Elliot, Page 18, Par.

0565).

Regarding claim 8, Omar or Chen does not expressly disclose a redundant relay
arrangement for the relay arrangement.

However, Elliot discloses wherein the relay arrangement is located in at least one of a same geographic location and a different geographic location than the relay arrangement (Page 12, Par. 0465-0470).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the combined method of Omar and Chen for remote data access by including wherein the relay arrangement is located in at least one of a same geographic location and a different geographic location than the relay arrangement as disclosed by Elliot. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Elliot to provide for high availability and redundancy (Elliot, Page 18, Par. 0567).

Regarding claims 9 and 13, Omar discloses wherein the data is encrypted (Page 13, Par. 0117-0118).

Regarding claim 12, Omar discloses the step of:

sending encryption data to the handheld wireless device via a wireless connection, thus updating operational capabilities of the handheld wireless device (i.e., Regardless of the particular key distribution scheme and encryption techniques used, encrypted communications between a mobile device 12 and network server 122 allows for secure access to corporate or other private information using a mobile device 12 )(Page 13, Par. 0119-0120).

Regarding claim 18, Omar or Chen does not expressly disclose wherein the relay arrangement is configured to route the data via a frame relay connection.

However, Elliot discloses wherein the relay arrangement is configured to route the data via a frame relay connection (Page 3, Par. 0029-0030).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the combined method of Omar and Chen for remote data access by including wherein the relay arrangement is configured to route the data via a frame relay connection by Elliot. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Elliot to provide for a method to deliver packets, cells, or frames to receipients (Elliot, Page 2, Par. 0018).

### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-

3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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Oct. 3, 2005

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